

Judge John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	No. CR04-106C
)	
Plaintiff,)	STIPULATED MOTION AND ORDER
)	CONTINUING TRIAL DATE AND
v.)	MOTION HEARING DATE
)	
RONALD THOMAS MORENO,)	
)	
)	
Defendant.)	
_____)	

Comes now the defendant, Ronald Thomas Moreno, by and through his attorney, Michael G. Martin, and the United States of America, by and through John McKay, United States Attorney for the Western District of Washington, and Carl Blackstone, Assistant United States Attorney, and submit this joint motion to continue the trial date and the motions hearing date in this matter. The parties respectfully submit that these continuances are necessary to avoid a miscarriage of justice.

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The parties request that the trial date be continued from May 16, 2005 to July 11, 2005 and that the pending motion by Mr. Moreno be renoted for hearing on June 22, 2005 or as soon thereafter as is convenient for the Court. The parties believe that proceeding with the current motion hearing date and the current trial date would result in a miscarriage of justice and would result in the ineffective assistance of counsel.

Upon consulting with the Court's In-Court Deputy Clerk regarding scheduling and considering their individual schedules, the parties have agreed to the continuances stated above.

Respectfully submitted this 11th day of April, 2005.

/s/
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/s/
Carl Blackstone
Assistant United States Attorney

ORDER

This matter comes before the Court on a stipulated motion by the parties to continue the motions noting date and the trial date, and the Court having considered the entirety of the record and filed herein, the Court finds that failure to grant the requested continuances would likely result in a miscarriage of justice and the ineffective assistance of counsel. The Court further finds that the interests of the public and the defendant in a speedy trial in this case are outweighed by the ends of justice. Now, therefore,

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IT IS HERBY ORDERED that the hearing date for the pending motion be continued to June 22, 2005 at 8:30 a.m. IT IS FURTHER ORDERED that the trial date be continued from May 16, 2005 to July 11, 2005, and that the time between the date of this Order and the new trial date be excludable time under the Speedy Trial Act pursuant to Title 18, USC Sections 3161(h)(8)(A), 3161(h)(8)(B)(i) and 3161(h)(8)(B)(ii).

Done this 12th day of April, 2005.



UNITED STATES DISTRICT JUDGE

Presented by:

/s/
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